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UNITED STATES DISTRICT COURT		
SOUTHERN DISTRICT OF NEW YORK		
GREGG ALLMAN, JAIMOE f/k/a JOHNNY LEE JOHNSON, AND BUTCH TRUCKS INDIVIDUALLY, AS MEMBERS OF "THE ALLMAN BROTHERS BAND" AND AS PARTNERS IN "THE ALLMAN BROTHERS BAND RECORDING COMPANY" AND	- x : : : 06 Civ. 3252 (GBD) (KNI : : ECF CASE	F)
THE ALLMAN BROTHERS BAND RECORDING COMPANY; ELMO SHROPSHIRE, INDIVIDUALLY AND AS A MEMBER OF "ELMO & PATSY"; ON	:	
BEHALF OF THEMSELVES AND ALL OTHERS	:	
SIMILARLY SITUATED,	: :	
Plaintiffs,	· :	
-against-	:	
SONY BMG MUSIC ENTERTAINMENT, A Delaware General Partnership,	: : :	
Defendant.	: :	

PLEASE TAKE NOTICE that Defendant Sony BMG Music Entertainment ("SME"), upon the accompanying Memorandum of Law, SME's Statement Pursuant to Local Rule 56.1, the Declaration of Stuart Bondell and the exhibits thereto, the Declaration of Andrea Finkelstein, the Declaration of Andrew Gerber and the exhibit thereto, the Declaration of Chris Gobalakrishna and the exhibit thereto, the Declaration of Mark Goldstein and the exhibit thereto, the Declaration of Linda Novak and the exhibits thereto, the Declaration of Kevin Saul, the Declaration of Caroline Symannek and the exhibits thereto, the Declaration of Tom Tyrrell and the exhibits thereto, the Declaration of Ethan Jacobs and the exhibits thereto, and all prior papers and proceedings herein, by its undersigned counsel, shall move this Court, before the Honorable George B, Daniels, Courtroom

21D at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, as soon as counsel may be heard, for an order pursuant to Fed. R. Civ. P. 56(a) granting summary judgment in favor of SME and dismissing Plaintiff Elmo Shropshire's claims.

PLEASE TAKE FURTHER NOTICE that, pursuant to the January 11, 2011 Order, opposing affidavits and answering memorandum, if any, must be served on the undersigned counsel by February 22, 2011.

Dated: New York, New York January 14, 2011

COVINGTON & BURLING LLP

By: _____/s/ Jonathan M. Sperling Jonathan M. Sperling

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Attorneys for Defendant Sony BMG Music Entertainment

TO: Brian D. Caplan Caplan & Ross, LLP 270 Madison Avenue, 13th Floor New York, NY 10016

> Attorneys for Plaintiff Elmo Shropshire